

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TARINA SHANTAYNE SIMMONS]	
Petitioner,]	
]	
v.]	No. 3:13-0436
]	Judge Trauger
SHARON TAYLOR, WARDEN]	
Respondent.]	

O R D E R

On June 14, 2013, an order (Docket Entry No.17) was entered denying the respondent's Motion to Dismiss (Docket Entry No.11) the instant habeas corpus action for untimeliness.

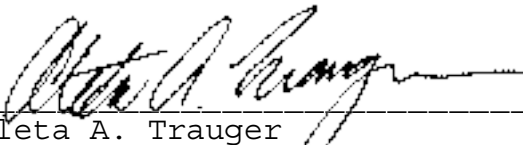
The Court agreed with the respondent that the instant action had not been filed in a timely manner. Docket Entry No.17 at pg.5. However, it was further determined that the petitioner's mental impairments and showing of actual innocence were sufficient to constitute an equitable tolling of the limitation period. *Id.* at pg.7.

Since the entry of this order, the respondent has filed a Rule 60(b)(1) Motion (Docket Entry No.20), asking the Court to reconsider its ruling by arguing that the record did not support a finding for the equitable tolling of the limitation period.

The *pro se* petitioner is hereby GRANTED thirty (30) days from the date of entry of this order on the docket in which to file

whatever reply to the respondent's Rule 60(b)(1) Motion that she may deem appropriate.

It is so ORDERED.



Aleta A. Trauger
United States District Judge